

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2012-250-C - ORDER NO. 2012-518

JULY 13, 2012

IN RE: Petition of BellSouth Telecommunications,	)	ORDER REVERSING
LLC d/b/a AT&T South Carolina for Review	)	NUMBERING
of Numbering Resources Determination in	)	DETERMINATION
the Columbia Rate Center (Palmetto Health)	)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of BellSouth Telecommunications, LLC d/b/a AT&T South Carolina (“AT&T” or the “Company”) for review of the North American Numbering Plan Administrator’s and/or the Pooling Administrator’s (collectively “NANPA/PA” also known as “Central Office Code Administration”) central office code numbering resources decision to deny the Company’s request for numbering resources in the Columbia Rate Center. AT&T’s customer who needs the additional numbering resources is Palmetto Health. Specifically, Palmetto Health requested 803-NX7-7XXX and 803-NX7-8XXX, but the pool list does not meet this criteria. In order to satisfy Palmetto Health’s express request for numbers, AT&T in turn requested a full NXX in the Columbia exchange. According to AT&T, it submitted the request to NANPA/PA on June 4, 2012. AT&T states it does not have the numbers to meet its customer’s request and asks that the Commission reverse NANPA/PA’s denial.

NANPA/PA's refusal stems from the Federal Communications Commission's ("FCC") "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of the Application and meet a rate center utilization threshold of 75% in order to receive additional numbering resources. However, the record reveals that, at the time of the request, the Columbia Rate Center was 245.359 months to 246.582 months from exhausting their inventory for the relevant blocks and was using 63.143% of its numbering resources.

Although AT&T fails to meet NANPA/PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a NANPA/PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-10 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by NANPA/PA denying a request for numbering resources. We further find that AT&T has demonstrated receipt

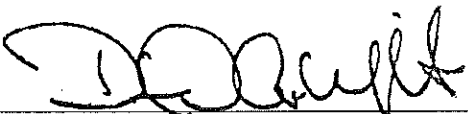
of a customer request for numbering resources that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for AT&T to provide its customer with the required telecommunications service. Consequently, we hold that NANPA/PA is directed to approve AT&T's request.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THIS COMMISSION:

  
\_\_\_\_\_  
John E. Howard, Chairman

ATTEST:

  
\_\_\_\_\_  
David A. Wright, Vice Chairman

(SEAL)